REMARKS

Claim 7 has been canceled. Claims 1, 20, and 21 have been amended to clarify the subject matter regarded as the invention. Claims 1-3, 5, 6, 10-17, 20, and 21 are pending.

Claims 1-3, 5, 6, 10-17, 20, and 21 stand rejected under 35 USC 102(b) as being anticipated by Gupta.

The rejection is respectfully traversed. With respect to claims 1, 20, and 21, each has been amended to recite comparing the pattern matching data to each of a plurality of patterns, each of which is associated with a corresponding one of a plurality of application protocols, for each pattern that is matched including a corresponding pattern match score in an application protocol score associated with an application protocol with which that pattern is associate, and concluding that a network traffic with which the pattern matching data is associated corresponds to the application protocol having the highest application protocol score. Support for the amendments to claims 1, 20, and 21 is found, without limitation, in the present application at page 10, line 9 – page 11, line 18 & Figure 4. Gupta describes determining whether a value in a protocol identifier field is included in a set of known IP protocols and determining that an anomaly has been detected if the protocol identifier is not recognized, Gupta [0063], as well as detecting deviations from normal protocol behavior, Gupta [0064] – [0067]. The signature matching described by Gupta, e.g., [0086] – [0089] assumes the protocol has been determined, e.g., by reading the protocol identifier field. Determining an application protocol, or that an application protocol is not a recognized one, by reading a protocol identifier field, as taught by Gupta, is not the same as determining an application protocol by comparing a pattern matching data to each of a plurality of patterns and determining for each of a plurality of application protocols, based on which patterns are matched, a corresponding application protocol score, as recited in claims 1, 20, and 21. As such, claims 1, 20, and 21 are believed to be allowable.

Claims 2, 3, 5, 6, and 10-17 depend from claim 1 and are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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